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In re Application of:

VENKITESWATAN SUBRAMANIAN *et al.*

Serial No.: 09/373,333

Group Art Unit: 1638

Filed: August 12, 1999

Examiner: D. Kruse

For: DNA SHUFFLING TO PRODUCE HERBICIDE SELECTIVE CROPS

COMMUNICATION

Box SEQUENCE  
Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES," mailed August 8, 2000, the following are provided:

- (1) a copy of the NOTICE;
- (2) a copy of the sequence information in computer readable form;
- (3) a Preliminary Amendment with a paper copy of the Sequence Listing; and
- (4) a statement under 37 C.F.R. §§ 1.821(f) and (g).

Respectfully submitted,

August 21, 2000

By:

Sharon M. Fujita  
Attorney for Applicants  
Reg. No. 38,459

MAXYGEN, INC.  
Intellectual Property Dept.  
515 Galveston Drive  
Redwood City, California 94063  
(650) 298-5421 (Tel.)  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Seq. Listing, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 24 day of August, 2000. By Sharon Fujita.

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OCT 15 2000  
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Application No.: 09/373353

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
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Technical Assistance.....703-287-0200  
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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**